

FULL COUNCIL MEETING MINUTES
November 20, 2017 - 1:30 PM
STATE COUNCIL FOR PERSONS WITH DISABILITIES
Edgehill Training Room/DPH, Dover

PRESENT

Jamie Wolfe, Chair; Gene Aucott, Easter Seals; Anthony Carter, JEVS Human Services; Debbie Dunlap, Parent/Advocate; Sonya Dyer, Dover AFB; Linda Heller, HLADE; Bonnie Hitch, DART; Bill Payne, Caregiver; Ann Phillips, Parent/Delaware Family Voices; Loretta Sarro, DOL/DVR DODHH; Lloyd Schmitz, Council of the Blind/EFOC; Wendy Strauss, GACEC; Laura Waterland, CLASI/DLP; John McNeal, Staff; Amber Rivard, Support Staff; and Jo Singles, Support Staff.

GUESTS

Michelle Morin, Office of Supplier Diversity
Victoria Counihan, DOJ/AG
Mary Chaisson
Tony Chaisson

Interpreters: Marion G/Stephanie M

CALL TO ORDER

Jamie called the meeting to order at 1:40 pm. Everyone introduced themselves. Mary and Tony Chaisson are interested in becoming members.

ADDITION OR DELETIONS TO THE AGENDA

- Legislative Planning
- By-Laws Committee
- Concerns about AmeriHealth

APPROVAL OF MINUTES

Wendy made a motion to approve the September 19th meeting minutes. Linda Heller seconded the motion. The September 19th meeting minutes were approved as submitted.

BUSINESS

Voting – Life Conference Nominations for SCPD Awards

All voting members were asked to vote on the paper ballot, which were distributed. Nominated for Lifetime Achievement: Brian Hartman and Ann Phillips; Legislative Service: Representative Helene Keeley and Representative Kimberly Williams; State Service: Matt Denn, Rita Landgraf, Marie Nonnenmacher and Wendy Strauss. Twelve members voted and the following nominees were chosen: Brian Hartman, Lifetime Achievement; Kimberly Williams (the first vote was tied; after a second vote by hand count (3 to 6)); State Service: Wendy Strauss. Comment was made that if anyone wanted to review the ballots collected to let Jo know.

Reports of Committees/Commission/Working Groups

- **Employment First Oversight Commission** – Lloyd spoke about the purpose of the Commission, which is to promote employment for Delawareans with disabilities. They have met with Representative Heffernan and discussed the challenges of moving forward. Language was developed to change the legislation by making adjustments to the membership. One change is allowing State employees to participate. This included adding several members that were thought to be critical to the Commission's success and another change is to add two members, one from the Department of Human Resources and a representative from the Disabilities Law Program. Lloyd stated that letters were sent to various groups encouraging participation as public participants. This will not affect voting membership. One new member has been added and that leaves one vacancy. John will follow-up with Senator McBride regarding his appointment.
- **Executive Committee** – This Committee has not met recently. Linda made a motion that the Executive Committee meet quarterly prior to the regularly scheduled SCPD meeting. Ann seconded the motion and motion was carried. If needed a special meeting can be held in-between these meetings. The first meeting will be held on January 22, 2018 from 12 noon–1 pm prior to the regularly scheduled SCPD meeting (bring lunch). Membership will be evaluated at the January 22nd meeting regarding. Topics for discussion: SCPD By-Laws, upcoming legislative session. Victoria clarified that additions and deletions can be done at the meeting, but the goal is to provide as much notice as possible to the public. No one opposed the motion and there was one abstention and everyone else approved the motion. Lloyd stated that it would be under Report of the Executive Committee so it would be on the agenda. This meeting schedule can be re-evaluated after one year.
- **Brain Injury Committee** – Ann provided an update on this Committee. This Committee has been focusing on the Priorities of a strategic plan that was developed several years ago. We meet the first Monday of every month. Two Priorities were switched in importance. We have been discussing available resources and training. A Needs Assessment done by Ann in 2007 will be reviewed and will be used as a baseline as this Committee moves forward. DHIN (Delaware Health Information Network) will be attending the next meeting to discuss methods of collecting data. Ann noted that Delaware does not have a Brain Injury Registry and therefore cannot receive funding. The Vice-Chair position has been vacant since Brian's retirement and we have two nominations and we hope to decide soon. Members have submitted brief bios that will be shared with other Committee members. This will be helpful as we move forward and know what resources are available.
- **Policy & Law Committee** – Jamie is reviewing Brian's November Analysis and will add any commentary before letters are sent on the current regulations since the Policy & Law Committee was unable to meet. The Policy & Law Committee usually meets the 2nd Thursday of the month.
- **Health Care Committee** – John stated that Dr. Gallucci has been reassigned and is no longer able to serve as Chair of the Health Care Committee. This Committee has not met in several months. John recently met with Dr. Susan Pugliese and Dr. Gallucci. Dr. Pugliese asked for more information on the roles and responsibilities of the Chairperson before accepting the Chair position. John will follow-up with Dr. Pugliese about the importance of the Committee. Approved minutes are uploaded on the State Public Calendar.
- **Deaf & Hard of Hearing Work Group** – Loretta spoke about this work group, which started about three years ago. There have been a lot of ongoing issues regarding interpreters. Peg Stewart leads the group. Other representatives are interpreters and representation from Delaware School

for the Deaf, Independent Resources, Inc. and Loretta's supervisor from DVR (Division of Vocational Rehabilitation). The last meeting was held in late September. This group has gathered Interpreter Regulations from the Pennsylvania law and made adjustments to fit Delaware. The meetings have been productive. John added that the goal is to have qualified interpreters so people will receive quality service. Loretta commented that this group has looked at certification, licensure, and educational interpreting. If the proposed regulation is approved, all interpreters would need to meet these specified qualifications. A decision has not yet been made on what agency would administer this regulation. Linda commented that is good to hear that interpreter certification is being addressed, along with licensure and qualifications. She added that a critical issue is not to block out people who have been providing interpreting services for many years by grandfathering them into the system. Linda noted that there is a shortage here in Delaware and nationally. She also spoke about interpreters coming from out of state and how this would be considered. Michelle spoke about State contracts. She explained that the State contracts average a five-year term and are currently in two years. She asked the group to consider that the existing contract does not negatively impact the existing service for the contract term and not require existing vendors awarded to be ineligible when the new law is created. Linda commented that one of the issues is that the State contracted with out of state vendors and there are more interpreters coming from borderline states. This was a concern to Delaware interpreters. She added that there are very few certified interpreters in Delaware. Loretta commented that we will not turn out of state interpreters away, but the language of the law needs to be followed. Loretta will follow-up on Michelle's comment regarding the State contract. Jamie suggested having a presentation when the work is completed. Loretta commented that it is a work in progress. Linda suggested that the work group provide a report to the Council before June. Loretta will bring these suggestions to the work group. John noted that a deadline usually helps the process along.

- Home & Community-Based Work Group – Jamie stated that this work group started about a year ago. They wanted to look at barriers for those receiving Home & Community-Based services, which is now under Medicaid. The Diamond State Health Plan Plus Waiver was formerly under DSAAPD. Then it became the Home & Community-Based Waiver under the MCOs and there have been many issues with services. There was an initial struggle getting organized, but topics to be looked are the issues with the Nursing Regulations. Jamie gave an example of issues using home health agencies. There seems to be a difference between what an attendant can do and what a home health agency will do. We need to find a way to pull these two groups together so that the person gets the services they need. Ann noted that with aides doing less and less, parents of children receiving services are jeopardizing their employment because the aides are not allowed to do certain needed services and the list is growing longer. She added that it is different from agency to agency. Dava added that the agencies are required to do these tasks, but it is the home health agencies' policy. They use the Nurse Practice Act to say they cannot provide certain services. Jamie stated that she has contacted Dr. Mangler (Acting Director of the Board of Nursing) and invited him to attend a meeting. His response was that he did not feel comfortable since they are rotating this position. John commented that there is a list of stakeholders that will be invited to attend future meetings. Jamie added that stakeholders are: Dr. Mangler or a representative from the State Board of Nursing, Directors of Home Health agencies, the Delaware Association of Home & Community Care, Liberty Resources, Inc. a center for independent living (CIL) in Philadelphia, and the MCOs (Managed Care Organizations). Ann spoke about a national conference of Family Voices that she recently attended. This organization is sending her information on other states which she will share. Linda suggested contacting the League of Women Voters have a Health Committee and they could be helpful. Jamie will contact Letty Diswood. Linda will send Jamie Letty's contact information. There have been issues with continuity of services with other MCOs during the initial 90-day transition period. Jamie commented that many people had their home health attendant hours cut when a new MCO came on board, but a lot of that was rectified. Laura

commented that many people do not realize that there is something they can do about it. Ann commented that she had spoken to Steve Groff about this and he thinks that it will not be an issue with AmeriHealth since they have had discussions with them directly.

Concerns about AmeriHealth

Jamie spoke of issues regarding AmeriHealth, especially for some people living downstate. She spoke about services not be allowed in a HUD-funded home. Laura clarified that should not be an issue. Sometimes there could be an issue with people passing background checks. Jamie suggested that Daniese may have additional information and can speak at the January meeting. John stated that the Housing Committee has reconvened. Daniese is the Chair of the Housing Committee and they meet bi-monthly and these types of issues can be addressed by the Housing Committee.

Jamie spoke about the difficulty in navigating through AmeriHealth's website and found only one general physician listed as a provider in Dover. Ann commented that she thought it was very user friendly. Laura suggested inviting AmeriHealth to the January meeting. John will facilitate this.

Legislative Planning

Bill asked about for an update about the Legislative Planning. Wendy stated that a group of advocates have been meeting for about 10 years. A Legislative & Policy Agenda is developed on issues revolving around persons with disabilities. She added that this document is presented at the LIFE conference. Wendy reviewed the top ten (in no particular order) from current Agenda for 2018-19:

- Access to Quality Preventative Dental Care for People with Disabilities
- Elimination of Sub-Minimum Wage
- Pay Raises for Attendants and Direct Support Professionals (DSP)
- Accessible Parking
- Disability Integration Act
- Community First Choice Medicaid Option (CFCO)
- Uniform Standards for Year Round Qualifications for Special Education Teachers
- Amending the Nurse Practice Act
- Funding for Students with Intellectual and Developmental Disabilities (IDD) to be Able to Attend Certificate Programs such as CLSC and SEED
- Dual Eligibility – The Coordination of Medicaid and Medicare

Jo will send the complete document to the Council. Lloyd spoke about the impact on the WIOA (Work Investment Opportunity Act) on the elimination of sub-minimum wage. Michelle commented about the impact on the State Set-Aside Contracts and unintended consequences for employment options. She suggested that the Committee contact the Chief Procurement Office from the Central Contracting Office to meet about the potential impact.

Other Business

None

ANNOUNCEMENTS

Wendy distributed a flyer on Heart 2 Heart Hugs, a GACEC-sponsored (Governor's Advisory Council for Exceptional Citizens) event. They are seeking donations for children and young adults in Delaware who are homeless or in foster care. They are collecting donations of blankets, coats, scarves, mittens/gloves, etc.

Wendy spoke about a casting call on an original musical on the history of living in Delaware when you have a disability. The musical will be held in Kent County in 2018. Informational meetings will be held on Wednesday, December 7 and January 10 from 5:30-8:00 pm at Central Middle School, 211 Delaware Avenue, Dover. Auditions will be held in early 2018. If needed, they will hold an informational meeting in New Castle County.

Michelle stated that the Office of Supplier Diversity has announced the 2017 Fiscal Spend by the State for Diversity and Small Businesses is \$287.4M. She added that \$0 was spent with businesses owned by individuals with disabilities with the exceptions of veterans who are service disabled veterans. Michelle continues to look for business that are owned and controlled by individuals with disabilities that are for-profit. She asked for insights and contacts that she could follow-up. She reviewed the eligibility criteria that the business has to be 51 percent owned and actively controlled by a person with a disability. Michelle will send a document that can be posted on a website. Michelle gave several examples.

Linda spoke about a new support group in Newark for the Hearing Loss Association of Delaware for a total of three support groups. They will also be starting a Cochlear Implant Support Group. Linda asked if anyone knows of someone with a cochlear implant to contact her directly.

PUBLIC COMMENT

None

ADJOURNMENT

Bill made a motion to adjourn. Lloyd seconded the motion and the motion was approved. The meeting adjourned at 3:26 pm.

Respectfully submitted,

Jo Singles
Administrative Specialist

SCPD/min/nov17